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61 BECCA [redacted]

File No. 66/53

Legal Department

BRANCH

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Subject:—

Opinion On the

Essential Commodities Cattle

Contol Act 1946.

O/B.E.C.C.A./53

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O.F.L.C.C.A/53(G-66)

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Sr.No.	R.I./C.No.	Subject	Pages.
		Opinions under the Bombay Essential commodities and cattle Control Act, 1946.	
1.)	C.No.G-254/30-4-53.	Whether Ammonium Sulphate is an essential commodity under the said Act. Whether "sulphate of ammonium dust" can be legally said to be covered by the entry of "Ammonium sulphate" in sec. 1 to the Act.	1-6

P.H.B. 14/8

A.N.P. 14/8

S.P.T.I.No. 4726 1t. 26.2.53

M/s Manikial ..Shah and Bro.. of Poona have enquired of the Hindi Fertilizers and Chemicals Ltd. in their letter dated 13.9.52 at p. 1/C whether the restrictions on the price and distribution of Sulphate of ammonia enforced in the Bombay State, would be applicable to the super-fine ammonium sulphate dust recently advertised for sale by the S.F.Factory and in what way does the said super-fine dust differ from the sulphate of ammonia. The advertisement expressly mentions in clear terms that the superfine ammonium sulphate dust is offered for sale direct outside the Fertilizer Pool. Sulphate of ammonia is an article included in the Schedule I of the Essential commodities and Cattle Control Act, 1946 and the ceiling limit on the selling price of sulphate of ammonia in the Bombay State has been fixed by virtue of the powers assumed under that Act. A question arises whether sulphate of ammonia and ammonium sulphate dust are considered to be alike for the purposes of the Bombay Essential Commodities and Cattle Control Act, 1946. Please see the reply dated 20.12.52 of M/s.s. Hindri Fertilizers and Chemicals Ltd. at p. 9/C. The terms and condition for the sale of superfine ammonium sulphate dust are given at p. 13/C.

Contd.

The Director of Agriculture has stated in his letter dated 13.2.53 at p. 17/C that it is necessary to include the dust of ammonium sulphate under the Bombay Essential Commodities and Cattle Control Act, 1946, as in the case of sulphate of ammonia and to sell it under pool. Else, it will have to be controlled. If it is allowed to come freely in the market without control, the unscrupulous dealers will sell the same under the name of sulphate of ammonia and the spurious goods resembling dust of sulphate of ammonium will be palmed off to unwary and ignorant cultivators.

The papers have been sent to the Law Dept. to advice whether sulphate of ammonium dust can be legally said to be covered by the entry of ammonia sulphate which has already been made in the Schedule I under the Act, vide Notifn. No. 410-II/B, dated 31-3-50.

Sd/- J.R.Khurandhar.

MM

7/3-

Office of the R.L.A.

"Ammonia Sulphate" is an essential commodity [illegible] Essential Commodities and Cattle (Control) Act, 1946 (vide section 2(a) read with the last entry in Schedule I to the Act). The dust of ammonium sulphate will be covered by the expression "ammonia sulphate" as whether it is in dust form or crude form would depend upon the size of its crystals but the stuff would nevertheless be the same. It does not therefore appear to be necessary to amend the Schedule for including the word ammonium sulphate in the entry 'ammonia sulphate'. After the Government of India's reply is received, the question may if necessary be further examined.

Sd/- J.R.Dhurandhar.

29/4

o/c

Remembrancer of Legal Affairs.

U.O.to A. & P.D., No. C- 754, dated the 30th April 1953.

MI
7/5-